

each frequency coordinator to provide, within one business day, a listing of their frequency recommendations to all other frequency coordinators in their respective pool.<sup>14</sup> In this connection, we believe that the importance and need for a current and accurate accounting of frequency recommendations outweighs the burden, if any, on small coordinators. Because coordinators are already required to share information when invoking the interservice sharing rules of our current rules,<sup>15</sup> each should already have a system in place for such data exchange. Additionally, we believe that the greater harm could occur to small business that are PLMR licensees. Without such data exchange, these licensees' systems could be in danger of receiving harmful interference which would endanger their business operations. The Commission did not receive any specific comments regarding the one-day notification requirement. However, the Commission did receive comments regarding the need for notification.<sup>16</sup>

- (2) In some instances, frequency coordinators need to perform engineering analyses to determine if an applicant's proposed radio system is feasible. A coordinator may need detailed information on systems coordinated by other coordinators in order to perform such an analysis. Therefore, we are requiring that each coordinator provide, upon request, within one business day, information requested by another coordinator regarding a pending coordination.<sup>17</sup>
- (3) To ensure that applicants have access to reliable and competent frequency coordination services regardless of which coordinator they choose to use, we have determined that some minimum technical standards to which each coordinator must adhere need to be established. We are requiring the coordinators to achieve a consensus on such standards within six months of the publication of this *Second R&O* in the Federal Register.<sup>18</sup>
- (4) In the *Report and Order*, the Commission provided frequency coordinators with the authority to designate channels for the exclusive use of low power systems. Coordinators have been reluctant to designate such channels due to uncertainty regarding consolidation. Now that the framework for the frequency pools has been established, we are providing six months from the publication of this *Second*

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<sup>14</sup> See para. 47, in the *Second R&O*.

<sup>15</sup> See 47 C.F.R. § 90.176.

<sup>16</sup> See, e.g., Joint Pool Comments at 10-11; UTC Comments at 12.

<sup>17</sup> See para. 49, in the *Second R&O*.

<sup>18</sup> See para. 43, in the *Second R&O*.

*R&O* in the Federal Register for the frequency coordinators to achieve a consensus plan for low power channels.<sup>19</sup>

**V. Steps Taken By Agency to Minimize Significant Economic Impact on Small Entities Consistent with Stated Objectives**

14. The Commission provided the PLMR community with an opportunity to meet and develop a consensus position on this issue as an alternative to the Commission's adoption of final rules for consolidation of the PLMR radio services. Unfortunately, a consensus was not reached, therefore this *Report and Order* balances the competing interests.

15. The Commission, in this *Second R&O*, has considered comments regarding its plans to consolidate the PLMR radio services below 512 MHz and those related comments filed pursuant to proposals discussed in the *Further Notice*. In doing so, the Commission has adopted several proposals which minimize burdens placed on small entities. First, the Commission has adopted a two pool consolidation plan which will provide more frequency options to entities than the current frequency pool structure and structures based on more than two pools. The increase in frequency choices will provide a greater likelihood that licensees, including small entities, will share frequencies with fewer systems enabling them to achieve more efficiency in their radio systems.<sup>20</sup> Second, by adopting a two pool approach, we are able to eliminate the interservice sharing rules in Section 90.176 of our rules. Currently, entities who want to use frequencies in a pool other than the one in which they are eligible must invoke these rules and usually are required to pay a frequency coordination fee to the coordinator for their pool and a fee to the coordinator for the pool in which they want to share a frequency. Because entities will now have direct access to all frequencies in their respective pool, this *Second R&O* eliminates the need for an entity to pay more than one frequency coordination fee for any radio system.<sup>21</sup> Third, because this *Second R&O* provides for competitive frequency coordination in the Industrial/Business Pool, license applicants should expect a reduction in frequency coordination fees and/or an increase in the level of service.<sup>22</sup> Fourth, under the adopted frequency pool structure, all frequency coordinators will be certified to coordinate frequencies in the pool in which the pool that they previously coordinated is placed. This will minimize confusion and ease the transition process from the current radio service structure to the new consolidated frequency pool structure.<sup>23</sup> Fifth, in order to ensure a smooth transition to the consolidated frequency pools, we are providing a

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<sup>19</sup> See para. 63, in the *Second R&O*.

<sup>20</sup> See para. 20, in the *Second R&O*.

<sup>21</sup> See para. 29 in the *Second R&O*.

<sup>22</sup> See para. 40, in the *Second R&O*.

<sup>23</sup> See para. 33, in the *Second R&O*.

period of six months for entities to implement the rule changes adopted in the *Second R&O*.<sup>24</sup> Sixth, rather than requiring the frequency coordinators to establish and maintain a common real-time database, we are only requiring that they share certain information among themselves. Requiring the development of a common database would be a complex, costly, and time consuming endeavor.<sup>25</sup> Seventh, while we are requiring the sharing of certain data, we are not specifying the method by which this data should be shared. Each frequency coordinator may choose any method that fulfills its requirements with respect to speed, cost, and quality.<sup>26</sup> Eighth, we are providing a method by which licensees can implement a centralized trunking system. Because such systems are more efficient than traditional systems, licensees who implement centralized trunking may be able to achieve the same amount of communications as they currently do with fewer channels.<sup>27</sup>

## VI. Report to Congress

16. The Commission shall send a copy of this Final Regulatory Flexibility Analysis, along with the *Second Report and Order*, in a report to Congress pursuant to the SBREFA.<sup>28</sup> A copy of this FRFA will also be published in the Federal Register.

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<sup>24</sup> See para. 2, in the *Second R&O*.

<sup>25</sup> See para. 46, in the *Second R&O*.

<sup>26</sup> See para. 51, in the *Second R&O*.

<sup>27</sup> See para. 56, in the *Second R&O*.

<sup>28</sup> See 5. U.S.C. § 801(a)(1)(A).

**APPENDIX D****List of Frequency Coordinators Below 512 MHz**

For frequencies in the 470-512 MHz band, applicants may use any frequency coordinator. For all other frequencies below 470 MHz, applicants must use the designated frequency coordinator.

**Public Safety Pool Frequency Coordinators**

For frequencies designated with a "PP" or a "PX" in Section 90.20 of the Commission's rules:

Association of Public-Safety Communications Officials-International, Inc.  
Attn: Frequency Coordination Department  
2040 South Ridgewood Avenue  
South Daytona, Florida 32119  
Phone: (904) 322-2500  
Fax: (904) 322-2502

For frequencies designated with a "PF", "PM", or a "PX" in Section 90.20 of the Commission's rules:

International Association of Fire Chiefs/International Municipal Signal Association  
Attn: Al Mello  
P.O. Box 1513  
Providence, Rhode Island 02901  
Phone: (401) 738-2220

For frequencies designated with a "PO" or a "PX" in Section 90.20 of the Commission's rules:

Forestry Conservation Communications Association  
Attn: Joe Friend  
Hall of the States  
444 North Capitol Street, NW, Suite 540  
Washington, DC 20001  
Phone: (202) 624-5416

For frequencies designated with a "PH" or a "PX" in Section 90.20 of the Commission's rules:

American Association of State Highway and Transportation Officials

Attn: Larry Miller

444 North Capitol Street, NW, Suite 249

Washington, DC 20001

Phone: (202) 624-5800 or (202) 624-5448

For frequencies designated with a "PS" in Section 90.20 of the Commission's rules:

PCIA/IAFC/IMSA

Attn: Frequency Coordination Department

1501 Duke Street, Suite 200

Alexandria, Virginia 22314

Phone: (703) 739-0300 or 1-800-759-0300

#### Industrial/Business Pool Frequency Coordinators

For frequencies designated with an "IW" in Section 90.35 of the Commission's rules:

UTC, The Telecommunications Association

Attn: Frequency Coordination Department

1140 Connecticut Avenue, NW, Suite 1140

Washington, DC 20036

Phone: (202) 872-1279

Fax: (202) 872-1331

For frequencies designated with an "IP" in Section 90.35 of the Commission's rules:

Petroleum Frequency Coordinating Committee

c/o SMS

Attn: Marie Hawkins

1110 North Glebe Road, Suite 500

Arlington, Virginia 22201

Phone: (703) 528-5115

For frequencies designated with an "LR" in Section 90.35 of the Commission's rules:

Association of American Railroads  
Communications and Signal Division  
Attn: Chris Allman  
50 F Street, NW  
Washington, DC 20001  
Phone: (202) 639-2217

For all other frequencies, applicants may use any of the coordinators listed above or one of the following:

American Automobile Association  
Attn: Gary M. Ruark  
1000 AAA Drive, Mailspace 15  
Heathrow, Florida 32746-5063  
Phone: (407) 444-7786  
Fax: (407) 444-7380

Personal Communications Industry Association  
Attn: Frequency Coordination Department  
1501 Duke Street, Suite 200  
Alexandria, Virginia 22314  
Phone: (703) 739-0300 or 1-800-759-0300

Central Station Alarm Association  
Attn: Robert Bitton, President  
P.O. Box 5859  
140 Hillside Avenue  
Hillside, New Jersey 07205-5859  
Phone: (201) 923-4600  
Fax: (201) 923-4535

Forest Industries Telecommunications  
Attn: Kenton E. Sturdevant  
871 Country Club Road, Suite A  
Eugene, Oregon 97401  
Phone: (541) 485-8441

Manufacturers Radio Frequency Advisory Committee, Inc.  
Attn: Frequency Coordination Department  
1041 Sterling Road, #106  
Herndon, Virginia 22070  
Phone: (703) 318-9206  
Fax: (703) 318-9209

Alliance of Motion Picture and Television Producers  
c/o SIRSA  
Attn: Karin Norton  
1110 North Glebe Road, Suite 500  
Arlington, Virginia 22201  
Phone: (703) 528-5115

American Trucking Association, Inc.  
Attn: Gus Gyllenhoff  
2200 Mill Road  
Alexandria, Virginia 22314  
Phone: (703) 838-1730 or (703) 838-1731

Newspaper Association of America  
Attn: John Iobst  
11600 Sunrise Valley Drive  
Reston, Virginia 22091  
Phone: (703) 648-1224

Industrial Telecommunications Association  
Attn: Frequency Coordination Department  
1110 North Glebe Road, Suite 500  
Arlington, Virginia 22201  
Phone: (703) 528-5115

International Taxicab and Livery Association  
Attn: Cecelia M. Hayes  
3849 Farragut Avenue  
Kensington, Maryland 20895  
Phone: (301) 946-5702

Telephone Maintenance Frequency Advisory Committee  
c/o SMS  
Attn: Ann Mastbrook  
1110 North Glebe Road, Suite 500  
Arlington, Virginia 22201  
Phone: (703) 528-5115

Frequencies available under Section 90.265(a) of the Commission's rules must be coordinated through the National Oceanic and Atmospheric Administration (NOAA) at the following address:

Hydrological Federal Frequency  
NOAA National Weather Service  
Attn: Eugene A. Stallings  
Office of Hydrology, W/OH22  
1325 East-West Highway, Room 8140  
Silver Spring, Maryland 20910  
Phone: (301) 713-0006



**APPENDIX E****Final Rules**

Parts 1, 20, 74, 90, and 101 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 1 - PRACTICE AND PROCEDURE**

1. The authority citation for part 1 continues to read as follows:

**AUTHORITY: 47 U.S.C. 151, 154, 303, and 309(j) unless otherwise noted.**

2. Section 1.952 is amended by revising paragraph (b) to read as follows:

**§ 1.952 How file numbers are assigned.**

\* \* \* \* \*

- (b) File number symbols and service or class of station designators:

**Amateur and Disaster Services**

Y - Amateur  
D - Disaster  
R - Races

**Aviation Services**

A - Aeronautical and fixed group  
AA - Aviation auxiliary group  
AR - Aviation radionavigation land  
AC - Civil Air Patrol

**Personal Radio Service**

CA - General Mobile Radio Service  
ZA - General Mobile Radio Service  
ZV - Interactive Video and Data Service

**Marine Services**

MK - Alaskan group  
M - Coastal group  
MA - Marine auxiliary group  
MR - Marine radiodetermination land

**Microwave Services**

OF - Private Operational-Fixed Microwave

**Radiolocation Service**

RS - Radiolocation

**Land Mobile Services below 800 MHz**

IG - Conventional Industrial/Business Pool  
PW - Conventional Public Safety Pool  
YG - Trunked Industrial/Business Pool  
YW - Trunked Public Safety Pool

**800 MHz Services**

GB - Conventional Business  
GO - Conventional Industrial/Land Transportation  
GP - Conventional Public Safety/Special Emergency  
GX - Conventional Commercial (SMRS)  
YB - Trunked Business  
YO - Trunked Industrial/Land Transportation  
YP - Trunked Public Safety/Special Emergency  
YX - Trunked Commercial (SMRS)

**900 MHz Paging Services**

GS - Private carrier paging systems

\* \* \* \* \*

**PART 20 - COMMERCIAL MOBILE RADIO SERVICES**

1. The authority citation for part 20 continues to read as follows:

**AUTHORITY:** Secs. 4, 303, and 332, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, and 332, unless otherwise noted.

2. Section 20.3 is amended by revising paragraph (b) of the definition for Private Mobile Radio Service to read as follows:

**§ 20.3 Definitions.**

\* \* \* \* \*

*Private Mobile Radio Service.* \* \* \*

- (b) Mobile radio service offered to restricted classes of eligible users. This includes entities eligible in the Public Safety Radio Pool and Radiolocation service.

\* \* \* \* \*

3. Section 20.9 is amended by revising paragraph (a)(2) to read as follows:

**§ 20.9 Commercial mobile radio service.**

- (a) \* \* \*

- (2) Stations that offer Industrial/Business Pool (§ 90.35 of this chapter) eligibles for-profit, interconnected service.

\* \* \* \* \*

**PART 74 - EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES**

4. The authority citation for part 74 continues to read as follows:

**AUTHORITY:** Secs. 4, 303, 48 Stat. 1066, as amended, 1082 as amended; 47 U.S.C. 154, 303, 554.

5. Section 74.402 is amended by revising the last sentence of footnotes 3 and 5 of paragraph (a) and the Note following paragraph (b) to read as follows:

**§ 74.402 Frequency assignment.**

(a) \* \* \*

<sup>3</sup> \* \* \* Applications for licenses to use frequencies in this group must include statements showing what procedures will be taken to insure that interference will not be caused to stations in the Industrial/Business Pool.

\* \* \* \* \*

<sup>5</sup> \* \* \* In other areas, certain existing stations in the Public Safety Pool and Industrial/Business Pool have been permitted to continue operation on these frequencies on condition that no harmful interference is caused to remote pickup broadcast stations.

\* \* \* \* \*

(b) \* \* \*

Note: These frequencies are shared with the Industrial/Business Pool.

\* \* \* \* \*

**PART 90 - PRIVATE LAND MOBILE RADIO SERVICES**

6. The authority citation for part 90 continues to read as follows:

**AUTHORITY: 47 U.S.C. 154, 302, 303, AND 332, unless otherwise noted.**

7. Section 90.7 is amended by adding definitions for Automobile emergency licensee, Emergency Medical Licensee, Film and video licensee, Fire Licensee, Forest products licensee, Frequency coordination, Manufacturers licensee, Motor carrier licensee, Police licensee, Power licensee, Petroleum licensee, Railroad licensee, Relay press licensee, Special Industrial licensee, Taxicab licensee, and Telephone maintenance licensee to read as follows:

**§ 90.7 Definitions.**

\* \* \* \* \*

*Automobile emergency licensee.* Persons regularly engaged in any of the following activities who operate radio stations for transmission of communications required for dispatching repair trucks, tow trucks, or other road service vehicles to disabled vehicles.

(1) The operation of a private emergency road service for disabled vehicles by associations of owners of private automobiles.

(2) The business of providing to the general public an emergency road service for disabled vehicles.

\* \* \* \* \*

*Emergency Medical Licensee.* Persons or entities engaged in the provision of basic or advanced life support services on an ongoing basis that operate radio stations for transmission of communications essential for the delivery or rendition of emergency medical services for the provision of basic or advanced life support.

*Film and video production licensee.* Persons primarily engaged in or providing direct technical support to the production, videotaping, or filming of motion pictures or television programs, such as movies, programs, news programs, special events, educational programs, or training films, regardless of whether the productions are prepared primarily for final exhibition at theatrical outlets or on television or for distribution through other mass communications outlets.

*Fire licensee.* Any territory, possession, state, city, county, town, or similar governmental entity, and persons or organizations charged with specific fire protection activities that operate radio stations for transmission of communications essential to official fire activities.

\* \* \* \* \*

*Forest products licensee.* Persons primarily engaged in tree logging, tree farming, or related woods operations, including related hauling activities, if the hauling activities are performed under contract to, and exclusively for, persons engaged in woods operations or engaged in manufacturing lumber, plywood, hardboard, or pulp and paper products from wood fiber.

\* \* \* \* \*

*Frequency coordination.* The process of obtaining the recommendation of a frequency coordinator for a frequency(ies) that will most effectively meet the applicant's needs while minimizing interference to licensees already operating within a given frequency band.

\* \* \* \* \*

*Manufacturers licensee.* Persons primarily engaged in any of the following manufacturing activities:

(1) The mechanical or chemical transformation of substances into new products within such establishments as plants, factories, shipyards, or mills which employ, in that process, powerdriven machines and materials-handling equipment.

(2) The assembly of components of manufactured products within such establishments as plants, factories, shipyards, or mills where the new product is neither a new structure nor other fixed improvement. Establishments primarily engaged in the wholesale or retail trade, or in service activities, even though they fabricate or assemble any or all the products or commodities handled, are not included in this category.

(3) The providing of supporting services or materials by a corporation to its parent corporation, to another subsidiary of its parent or to its own subsidiary, where such supporting services or materials are directly related to those regular activities of such parent or subsidiary which are eligible under subparagraph (1) or (2) of this paragraph.

\* \* \* \* \*

*Motor carrier licensee.* Persons primarily engaged in providing a common or contract motor carrier transportation service in any of the following activities: Provided, however, that motor vehicles used as taxicabs, livery vehicles, or school buses, and motor vehicles used for sightseeing or special charter purposes, shall not be included within the meaning of this term. For purposes of this definition, an urban area is defined as being one or more contiguous, incorporated or unincorporated cities, boroughs, towns, or villages, having an aggregate population of 2,500 or more persons.

(1) The transportation of passengers between urban areas.

(2) The transportation of property between urban areas.

(3) The transportation of passengers within a single urban area.

(4) The transportation, local distribution or collection of property within a single urban area.

\* \* \* \* \*

*Petroleum licensee.* Persons primarily engaged in prospecting for, producing, collecting, refining, or transporting by means of pipeline, petroleum or petroleum products (including natural gas).

*Police licensee.* Any territory, possession, state, city, county, town, or similar governmental entity including a governmental institution authorized by law to provide its own police protection that operate radio stations for transmission of communications essential to official police activities.

*Power licensee.* Persons primarily engaged in any of the following activities:

(1) The generation, transmission, or distribution of electrical energy for use by the general public or by the members of a cooperative organization.

(2) The distribution of manufactured or natural gas by means of pipe line, for use by the general public or by the members of a cooperative organization, or, in a combination of that activity with the production, transmission or storage of manufactured or natural gas preparatory to such distribution.

(3) The distribution of steam by means of pipeline or, of water by means of pipeline, canal, or open ditch, for use by the general public or by the members of a cooperative organization, or in a combination of that activity with the collection, transmission, storage, or purification of water or the generation of steam preparatory to such distribution.

(4) The providing of a supporting service by a corporation directly related to activities of its parent corporation, of another subsidiary of the same parent, or of its own subsidiary, where the party served is regularly engaged in any of the activities set forth in this definition.

\* \* \* \* \*

*Railroad licensee.* Railroad common carriers which are regularly engaged in the transportation of passengers or property when such passengers or property are transported over all or part of their route by railroad.

*Relay press licensee.* Persons primarily engaged in the publication of a newspaper or in the operation of an established press association.

\* \* \* \* \*

*Special industrial licensee.* Persons regularly engaged in any of the following activities:

(1) The operation of farms, ranches, or similar land areas, for the quantity production of crops or plants; vines or trees (excluding forestry operations); or for the keeping, grazing or feeding of livestock for animal products, animal increase, or value enhancement.

(2) Plowing, soil conditioning, seeding, fertilizing, or harvesting for agricultural activities.

(3) Spraying or dusting of insecticides, herbicides, or fungicides, in areas other than enclosed structures.

(4) Livestock breeding service.

(5) The operation of a commercial business regularly engaged in the construction of roads, bridges, sewer systems, pipelines, airfields, or water, oil, gas, or power production, collection, or distribution systems. The construction of buildings is not included in this category.

(6) The operation of mines for the recovery of solid fuels, minerals, metal, rock, sand and gravel from the earth or the sea, including the exploration for and development of mining properties.

(7) Maintaining, patrolling or repairing gas or liquid transmission pipelines, tank cars, water or waste disposal wells, industrial storage tanks, or distribution systems of public utilities.

(8) Acidizing, cementing, logging, perforating, or shooting activities, and services of a similar nature incident to the drilling of new oil or gas wells, or the maintenance of production from established wells.

(9) Supplying chemicals, mud, tools, pipe, and other materials or equipment unique to the petroleum and gas production industry, as the primary activity of the applicant if delivery, installation or application of these materials requires the use of specifically fitted conveyances.

(10) The delivery of ice or fuel to the consumer for heating, lighting, refrigeration or power generation purposes, by means other than pipelines or railroads when such products are not to be resold following their delivery.

(11) The delivery and pouring of ready mixed concrete or hot asphalt mix.

\* \* \* \* \*

*Taxicab licensee.* Persons regularly engaged in furnishing to the public for hire a nonscheduled passenger land transportation service (which may also include the occasional transport of small items of property) not operated over a regular route or between established terminals.

\* \* \* \* \*

*Telephone maintenance licensee.* Communications common carriers engaged in the provision of landline local exchange telephone service, or interexchange communications service, or who provide wire-telegraph service, and radio communications common carriers



authorized in the Point-to-Point Microwave Radio Service under part 21 of this chapter. Resellers that do not own or control transmission facilities is not included in this category.

\* \* \* \* \*

8. Section 90.17 is amended by adding new paragraphs (a)(1) and (a)(2) and a new last sentence to paragraph (a) read as follows:

**§ 90.17 Local Government Radio Service.**

(a) \* \* \* Additionally, the following non-governmental entities are eligible to hold authorizations in the Local Government Radio Service, *provided* that their applications are accompanied by a statement from the governmental entity having legal jurisdiction over the area to be served, supporting the request:

(1) Persons or organizations charged with specific fire protection activities for communications essential to the official fire activities of the licensee.

(2) Persons or organizations charged with specific forestry-conservation activities for communications essential to the official forestry-conservation activities of the licensee.

\* \* \* \* \*

9. Subpart B is revised to read as follows:

**Subpart B - Public Safety Radio Pool**

**§ 90.15 Scope.**

**§ 90.16 Public Safety National Plan.**

**§ 90.20 Public Safety Pool.**

**§ 90.22 Paging operations.**

**Subpart B - Public Safety Radio Pool**

**§ 90.15 Scope.**

The Public Safety Radio Pool covers the licensing of the radio communications of governmental entities and the following category of activities: medical services, rescue organizations, veterinarians, persons with disabilities, disaster relief organizations, school buses, beach patrols, establishments in isolated places, communications standby facilities, and emergency repair of public communications facilities. Entities not meeting these eligibility

criteria may also be licensed in the Public Safety Radio Pool solely to provide service to eligibles on one-way paging-only frequencies below 800 MHz, *i.e.*, those frequencies with the assignment limitations appearing at § 90.20(d)(13) or (60). Private carrier systems licensed on other channels prior to June 1, 1990, may continue to provide radio communications service to eligibles. Rules as to eligibility for licensing, frequencies available, permissible communications and classes and number of stations, and any special requirements are set forth in the following sections.

#### **§ 90.16 Public Safety National Plan.**

The Commission has established a National Plan which specifies special policies and procedures governing the Public Safety Pool (formally Public Safety Radio Services and the Special Emergency Radio Service). The National Plan is contained in the Report and Order in General Docket No. 87-112. The principal spectrum resource for the National Plan is the 821-824 MHz and the 866-869 MHz bands. The National plan establishes planning regions covering all parts of the United States, Puerto Rico, and the U.S. Virgin Islands. No assignments will be made in the 821-824 MHz and 866-869 MHz bands until a regional plan for the area has been accepted by the Commission.

#### **§ 90.20 Public Safety Pool.**

(a) *Eligibility.* The following are eligible to hold authorizations in the Public Safety Pool.

(1) Any territory, possession, state, city, county, town or similar governmental entity is eligible to hold authorizations in the Public Safety Pool to operate radio stations for transmission of communications essential to official activities of the licensee, including:

(i) A district and an authority, but not including a school district or authority or a park district or authority except as provided for in § 90.242;

(ii) A governmental institution authorized by law to provide its own police protection;  
and

(iii) Persons or entities engaged in the provision of basic or advanced life support services on an ongoing basis are eligible to hold authorization to operate stations for transmission of communications essential for the delivery or rendition of emergency medical services for the provision of basic or advanced life support. Applications submitted by persons or organizations (governmental or otherwise) other than the governmental body having jurisdiction over the state's emergency medical service plans must be accompanied by a statement prepared by the governmental body having jurisdiction over the state's emergency

medical services plan indicating that the applicant is included in the state's emergency plan or otherwise supporting the application.

(iv) Governmental entities and governmental agencies for their own medical activities.

(v) Governmental entities and governmental agencies for providing medical services communications to other eligible persons through direct participation in and direct operational control of the system, such as through central dispatch service.

(2) Persons or organizations other than governmental entities are eligible to hold authorizations in the Public Safety Pool to operate radio stations for transmission of communications, as listed below. When requesting frequencies not designated by a "PS" in the coordinator column of the frequency table in paragraph (c)(3) of this section, applications must be accompanied by a statement from the governmental entity having legal jurisdiction over the area to be served, supporting the request.

(i) Persons or organizations charged with specific fire protection activities.

(ii) Persons or organizations charged with specific forestry-conservation activities.

(iii) Persons or organizations, listed below, engaged in the delivery or rendition of medical services to the public and on a secondary basis, for transmission of messages related to the efficient administration of organizations and facilities engaged in medical services operations:

(A) Hospital establishments that offer services, facilities, and beds for use beyond 24 hours in rendering medical treatment;

(B) Institutions and organizations regularly engaged in providing medical services through clinics, public health facilities, and similar establishments;

(C) Ambulance companies regularly engaged in providing medical ambulance services;

(D) Rescue organizations for the limited purpose of participation in providing medical services;

(E) Associations comprised of two or more of the organizations eligible under paragraph (a)(2)(iii)(A), (B), (C), and (D) of this section, for the purpose of active participation in and direct operational control of the medical services communication activities of such organizations;

(F) Physicians, schools of medicine, oral surgeons, and associations of physicians or oral surgeons;

(iv) Persons or organizations operating a rescue squad for transmission of messages pertaining to the safety of life or property and urgent messages necessary for the rendition of an efficient emergency rescue service.

(A) Each rescue squad will normally be authorized to operate one base station, and a number of mobile units (excluding hand carried mobile units) not exceeding the number of vehicles actually used in emergency rescue operations.

(B) In addition, each rescue squad will be authorized to operate a number of hand carried mobile units not exceeding two such units for each radio equipped vehicle actually used in emergency rescue operations.

(v) Persons with Disabilities. The initial application from a person claiming eligibility under this paragraph shall be accompanied by a statement from a physician attesting to the condition of the applicant or the applicant's child (or ward in case of guardianship).

(A) Any person having a hearing deficiency such that average hearing threshold levels are 90 dB above ANSI (American National Standards Institute) 1969 or ISO (International Standards Organization) 1964 levels and such other persons who submit medical certification of similar hearing deficiency.

(B) Any person having visual acuity corrected to no better than 20/200 in the better eye or having a field of vision of less than 20 degrees.

(C) Any person, who, through loss of limbs or motor function, is confined to a wheelchair, or is non-ambulatory.

(D) Any person actively awaiting an organ transplant.

(E) Parents or guardians of persons under 18 years eligible under (A), (B), (C), or institutions devoted to the care or training of those persons.

(vi) A veterinarian, veterinary clinic, or a school of veterinary medicine for the transmission of messages pertaining to the care and treatment of animals. Each licensee may be authorized to operate one base station and two mobile units. Additional base stations or mobile units will be authorized only on a showing of need.

(vii) Organizations established for disaster relief purposes having an emergency radio communications plan for the transmission of communications relating to the safety of life or property, the establishment and maintenance of temporary relief facilities, and the alleviation of the emergency situation during periods of actual or impending emergency, or disaster, and until substantially normal conditions are restored. In addition, the stations may be used for training exercises, incidental to the emergency communications plan, and for operational communications of the disaster relief organization or its chapter affiliates. The initial

application from a disaster relief organization shall be accompanied by a copy of the charter or other authority under which the organization was established and a copy of its communications plan. The plan shall fully describe the operation of the radio facilities and describe the method of integration into other communications facilities which normally would be available to assist in the alleviation of the emergency condition.

(viii) Persons or organizations operating school buses on a regular basis over regular routes for the transmission of messages pertaining to either the efficient operation of the school bus service or the safety or general welfare of the students they are engaged in transporting. Each school bus operator may be authorized to operate one base station and a number of mobile units not in excess of the total of the number of buses and maintenance vehicles regularly engaged in the school bus operation. Additional base stations or mobile units will be authorized only in exceptional circumstances when the applicant can show a specific need.

(ix) Persons or organizations operating beach patrols having responsibility for life-saving activities for the transmission of messages required for the safety of life or property.

(x) Persons or organizations maintaining establishment in isolated areas where public communications facilities are not available and where the use of radio is the only feasible means of establishing communication with a center of population, or other point from which emergency assistance might be obtained if needed, for the transmission of messages only during an actual or impending emergency endangering life, health or property for the transmission of essential communications arising from the emergency. The transmission of routine or non-emergency communications is strictly prohibited.

(A) Special eligibility showing. The initial application requesting a station authorization for an establishment in an isolated area shall be accompanied by a statement describing the status of public communication facilities in the area of the applicant's establishment; the results of any attempts the applicant may have made to obtain public communication service, and; in the event radio communications service is to be furnished under subparagraph (a)(2)(x)(C)(2) of this section, a copy of the agreement involved must be submitted.

(B) Class and number of stations available. Persons or organizations in this category may be authorized to operate not more than one fixed station at any isolated establishment and not more than one fixed station in a center of population.

(C) Communication service rendered and received.

(1) The licensee of a station at any establishment in an isolated area shall make the communication facilities of such station available at no charge to any person desiring the transmission of any communication permitted by paragraph (a) of this section.

(2) For the purpose of providing the communications link desired the licensee of a station at an establishment in an isolated area either may be the licensee of a similar station at another location or may obtain communication service under a mutual agreement from the licensee of any station in the Public Safety Pool or any other station which is authorized to communicate with the fixed station.

(xi) A communications common carrier operating communications circuits that normally carry essential communication of such a nature that their disruption would endanger life or public property is eligible to hold authorizations for standby radio facilities for the transmission of messages only during periods when the normal circuits are inoperative due to circumstances beyond the control of the user. During such periods the radio facilities may be used to transmit any communication which would be carried by the regular circuit. Initial applications for authorization to operate a standby radio facility must include a statement describing radio communication facilities desired, the proposed method of operation, a description of the messages normally being carried, and an explanation of how their disruption will endanger life or public property.

(xii) Communications common carriers for radio facilities to be used in effecting expeditious repairs to interruption of public communications facilities where such interruptions have resulted in disabling intercity circuits or service to a multiplicity of subscribers in a general area. Stations authorized under this section may be used only when no other means of communication is readily available, for the transmission of messages relating to the safety of life and property and messages which are necessary for the efficient restoration of the public communication facilities which have been disrupted.

(xiii) Persons or entities engaged in the provision of basic or advanced life support services on an ongoing basis are eligible to hold authorization to operate stations for transmission of communications essential for the delivery or rendition of emergency medical services for the provision of basic or advanced life support. Applications submitted by persons or organizations (governmental or otherwise) other than the governmental body having jurisdiction over the state's emergency medical service plans must be accompanied by a statement prepared by the governmental body having jurisdiction over the state's emergency medical services plan indicating that the applicant is included in the state's emergency plan or otherwise supporting the application.

(b) *International police radiocommunication.* Police licensees which are located in close proximity to the borders of the United States may be authorized to communicate internationally. Request for such authority shall be written and signed and submitted in duplicate. The request shall include information as to the station with which communication will be conducted, and the frequency, power, emission, etc., that will be used. If authorized, such international communication must be conducted in accordance with Article 5 of the Inter-American Radio Agreement, Washington, DC, 1949, which reads as follows:

Article 5. *Police radio stations.* When the American countries authorize their police radio stations to exchange emergency information by radio with similar stations of another country, the following rules shall be applied.

(a) Only police radio stations located close to the boundaries of contiguous countries shall be allowed to exchange this information.

(b) In general, only important police messages shall be handled, such as those which would lose their value, because of slowness and time limitations if sent on other communication systems.

(c) Frequencies used for radiotelephone communications with mobile police units shall not be used for radiotelegraph communications.

(d) Radiotelephone communications shall be conducted only on frequencies assigned for radiotelephony.

(e) Radiotelegraph communications shall be conducted on the following frequencies: 2804 kHz calling, 2808 kHz working, 2812 kHz working, 5195 kHz day calling, 5185 kHz day working, 5140 kHz day working.

(f) The characteristics of police radio stations authorized to exchange information shall be notified to the International Telecommunication Union, Geneva, Switzerland.

(g) The abbreviations contained in Appendix 9 of the Atlantic City Radio Regulations shall be used to the greatest possible extent. Service indications are as follows: "P", priority, for messages that are to be sent immediately, regardless of the number of other messages on file. If no service indication is given, the messages are to be transmitted in the order of receipt.

(h) The message shall contain the preamble, address, text and signature, as follows:

*Preamble.* The preamble of the message shall consist of the following: the serial number preceded by the letters "NR", service indications, as appropriate; the group count according to standard cable count system; the letters "CK", followed by numerals indicating the number of words contained in the text of the message; office and country of origin (not abbreviations); day, month, and hour of filing;

*Address.* The address must be as complete as possible and shall include the name of the addressee with any supplementary particulars necessary for immediate delivery of the message;

*Text.* The text may be either in plain language or code;

*Signature.* The signature shall include the name and title of the person originating the message.

(c) Public Safety frequencies.

(1) The following table indicates frequencies available for assignment to Public Safety stations, together with the class of station(s) to which they are normally assigned, the specific assignment limitations which are explained in paragraph (d) of this section, and the certified frequency coordinator for each frequency:

(2) The letter symbol(s) listed in the Coordinator column of the frequency table in paragraph (c)(3) of this section specifies the frequency coordinator(s) for each frequency as follows:

- PF - Fire Coordinator
- PH - Highway Maintenance Coordinator
- PM - Emergency Medical Coordinator
- PO - Forestry-Conservation Coordinator
- PP - Police Coordinator
- PS - Special Emergency Coordinator
- PX - Any Public Safety Coordinator, except the Special Emergency Coordinator

Frequencies without any coordinator specified may be coordinated by any coordinator certified in the Public Safety Pool.

(3) Frequencies.

Public Safety Pool Frequency Table

Frequency or Band	Class of Stations(s)	Limitations	Coordinator
Kilohertz:			
530		1	PX
1610	Base (T.I.S.)	1	PX
1630	Base or mobile		PF
1722	do	2, 3	PP
1730	do	2, 3	PP
2212	do	4	PO
2226	do	4	PO
2236	do	4	PO
2244	do	4	PO
2366	do	2, 4	PP
2382	do	2	PP



2390	do	2, 4	PP
2406	do	2	PP
2430	do	2	PP
2442	do	2	PP
2450	do	2	PP
2458	do	2	PP
2482	do	2	PP
2490	do	2, 3	PP
2726	do	5	PX, PS
3201	do		PS
2000 to 3000	Fixed	75	PS
2000 to 10,000	Fixed, base, or mobile	6	PX
Megahertz:			
30.86	Base or mobile	7	PO
30.90	do	7	PO
30.94	do	7	PO
30.98	do	7	PO
31.02	do	7	PO
31.06	do	7, 8, 9	PO
31.10	do	7, 8, 9	PO
31.14	do	7, 8, 9	PO
31.18	do	8, 9	PO
31.22	do	8, 9	PO
31.26	do	8, 9	PO
31.30	do	8, 9	PO
31.34	do	8, 9	PO
31.38	do	8, 9	PO
31.42	do	8, 9	PO
31.46	do	8, 9	PO
31.50	do	8, 9	PO
31.54	do	8, 9	PO
31.58	do	8, 9	PO
31.62	do	8, 9	PO
31.66	do	8, 9	PO
31.70	do	8, 9	PO
31.74	do	8, 9	PO
31.78	do	8, 9	PO
31.82	do	8, 9	PO
31.86	do	8, 9	PO
31.90	do	8, 9	PO
31.94	do	8, 9	PO
31.98	do	8, 9	PO
33.02	do	10	PH, PS
33.04	do		PS